

Honorable Judge Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CLYDE RAY SPENCER ,

Plaintiff,

v.

DETECTIVE SHARON KRAUSE, and
SERGEANT MICHAEL DAVIDSON,

Defendants.

NO. C11-5424 BHS

[PROPOSED] ORDER GRANTING
DEFENDANTS' RENEWED MOTION
FOR JUDGMENT AS A MATTER OF
LAW AND IN THE ALTERNATIVE
MOTION FOR NEW TRIAL

THIS MATTER having come on regularly for hearing on Defendants Davidson and Krause's motion for judgment as a matter of law pursuant to FRCP 50(b) and, in the alternative, move for a new trial pursuant to FRCP 59(a)(1)(A), and the Court having reviewed the record herein and, to the extent deemed relevant and admissible, reviewed the material submitted by the parties concerning this motion, including:

1. Defendants Davidson and Krause's motion for judgment as a matter of law pursuant to FRCP 50(b) and, in the alternative, motion for a new trial pursuant to FRCP 59(a)(1)(A);

2. Plaintiff's Response to Defendants Davidson and Krause's motion for judgment as a matter of law pursuant to FRCP 50(b) and, in the alternative, for a new trial pursuant to FRCP 59(a)(1)(A), if any; and

3. Defendant Davidson's Reply in Support of motion for judgment as a matter of law pursuant to FRCP 50(b) and, in the alternative, for a new trial pursuant to FRCP 59(a)(1)(A); and being fully advised, now, therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants Davidson and Krause's motion for judgment as a matter of law pursuant to FRCP 50(b) and, in the alternative, for a new trial pursuant to FRCP 59(a)(1)(A) is granted and

DATED this ____ day of March, 2014.

THE HONORABLE BENJAMIN H. SETTLE
U.S. District Court Judge

Presented by:

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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2014, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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